

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1, 2, 5-26, and 29-55 are pending in this application. Claims 1, 25 and 49, which are independent, are hereby amended. Support for this amendment is provided throughout the Specification especially at pages 47-49. Claims 13 and 37 are canceled without any prejudice or disclaimer to the subject matter. Claims 3-4 and 27-28 were previously canceled without any prejudice or disclaimer to the subject matter.

No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

The Title is hereby amended.

II. REJECTIONS UNDER 35 U.S.C. §101 AND §103(a)

Claim 49 was rejected under 35 U.S.C. §101 as allegedly directed to non-statutory subject matter.

Claims 1-6, 9, 11, 12, 17, 19, 22-30, 33, 35, 36, 41, 43, 46-49 and 52-55 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 5,983,190 to Trower, et

al.(hereinafter referred to as “Trower”) in view of U.S. Patent No. 5,367,454 to Kawanmoto (hereinafter, “Kawamoto”) and further in view of U.S. Patent No. 5,774,859 to Houser, et al. (hereinafter, merely “Houser”)

Claims 7, 8 and 31–32 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto and Houser and in further view of U.S. Patent No. 6,081,780 to Lumelsky (hereinafter referred to as “Lumelsky”).

Claims 10 and 34 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, and further in view of Crow et al. U.S. Patent No. 6,262,724 to Crow, et al. (hereinafter referred to as “Crow”).

Claims 13 and 37 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, further in view of Houser, and yet further in view of U.S. Patent: 5,687,331 to Volk et al. (hereinafter merely “Volk”).

Claims 14 and 38 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, further in view of Houser, further in view of Volk, and yet further in view of Florin et al. (U.S. Patent: 5,583,560; hereinafter referred to as “Florin”).

Claims 15 and 39 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, further in view of Houser, and yet further in view of U.S. Patent: 6,026,416 to Kanerva et al. (hereinafter merely “Kanerva”).

Claims 16 and 40 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, further in view of Houser, further in view of Kanerva, and yet further in view of Florin.

Claims 18 and 42 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, in further view of Houser, and yet further in view of Florin.

Claims 20 and 44 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, further in view of Lumelsky, and yet further in view of U.S. Patent 5,758,079 to Ludwig et al. (hereinafter merely "Ludwig").

Claims 21, 45, 50, and 51 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Trower in view of Kawamoto, and further in view of U.S. Patent 5,262,760 to Iwamura et al. (hereinafter merely "Iwamura").

III. RESPONSE TO REJECTIONS

Claim 49 is hereby amended, therefore obviating rejections under 35 U.S.C. §101.

Claim 1 recites, *inter alia*:

"...wherein in response to said command interpreting means interpreting an inputted user command as a channel change command, said assistant control means places respective changeable broadcasting program display windows in the shape of a ring around said assistant, and a part of the ring has a gap with no broadcasting program display window, and a broadcasting program display window of a program on a temporarily selected channel is placed at the forefront of the ring." (emphasis added)

Applicants respectfully submit that neither of the references, taken either alone or in combination, teach nor suggest that wherein in response to said command interpreting means interpreting an inputted user command as a channel change command, said assistant control means places respective changeable broadcasting program display windows in the shape of a ring around said assistant, and a part of the ring has a gap with no broadcasting program display window, and broadcasting program display window of a program on a temporarily selected channel is placed at the forefront of the ring, as recited in independent claim 1 (emphasis added).

Therefore, claim 1 is patentable.

Claims 25 and 49 are similar, or somewhat similar, in scope to claim 1, and are therefore patentable for similar, or somewhat similar, reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above, and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

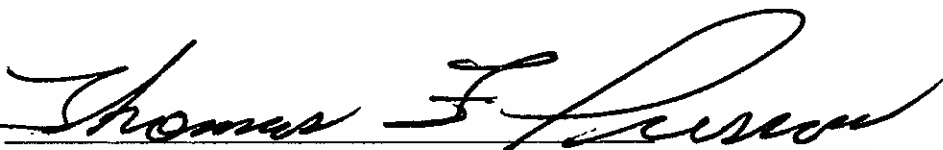
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference, providing the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicant respectfully requests early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicant

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800